

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

5566 FURNISHINGS, LLC d/b/a
ALLIANCE CORPORATE FURNISHINGS

PLAINTIFF

v.

CIVIL ACTION NO. 1:20-CV-205-GHD-RP

SCHNEIDER NATIONAL CARRIERS, INC.

DEFENDANT

ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Defendant's motion for summary judgment [Doc. No. 38] is GRANTED IN PART AND DENIED IN PART;
- (2) the motion is GRANTED with respect to the Plaintiff's claims for breach of an express contract (contained in Count I of the Plaintiff's Complaint) and for trespass to chattels, or alternatively conversion (Count II), and those claims are DISMISSED WITH PREJUDICE; and
- (3) the motion is DENIED in all other respects; the Plaintiff's claims for breach of implied contract (contained in Count I) and for breach of the duty of good faith and fair dealing (Count III) shall PROCEED.

All memoranda, depositions, declarations, and other materials considered by the Court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED this the 16th day of August, 2022.



SENIOR U.S. DISTRICT JUDGE